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JC929 U.S. PTO

02-19-02

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## UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No  
A-1756

Total Pages in this Submission

61

## TO THE COMMISSIONER FOR PATENTS

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 CFR 1.53(b) is a new utility patent application for an invention entitled:

BONE ANCHOR INSERTION DEVICE

and invented by:

Gregoire et al.

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are Application Elements:

☒ Filing Fee☒ Specification having 30 page(s) and including the following:

- ☒ Title of the Invention
- ☒ Cross References to Related Applications (if applicable)
- ☒ Background of the Invention
- ☒ Brief Summary of the Invention
- ☒ Description of the Drawings
- ☒ Description of the Preferred Embodiment
- ☒ Claim(s) as Classified Below
- ☒ Abstract of the Disclosure

☒ 15 Sheets of Drawings(s) (37 CFR 113) ☐ Formal ☒ Informal☒ Oath or Declaration ☒ Executed ☐ Unexecuted☐ Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)☒ Power of Attorney ☐ Executed ☐ Unexecuted☐ Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)☐ Incorporation By Reference -- The entire disclosure of the prior application from which a copy of the oath or declaration is supplied under the above entry, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.☐ Computer Program in Microfiche (Appendix)

## Accompanying Application Parts

☒ Assignment Papers (cover sheets & documents(s))☐ The prior application is assigned of record to \_\_\_\_\_☐ Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)☐ 37 CFR 3.73(B) Statement (when there is an assignee)☐ English Translation Document (if applicable)

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- ☐ Information Disclosure Statement/PTO-1449    ☐ Copies of \_\_\_ IDS Cited Reference(s)  
☐ Preliminary Amendment  
☒ Acknowledgment postcard  
☒ Application is entitled to Small Entity Status.  
☒ Application Data Sheet  
☒ Request of NON-PUBLICATION of Application  
☒ Certificate of Mailing by Express Mail  
☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)

**Fee Calculation and Transmittal**

\*The filing fee is calculated on the basis of the claims existing in the prior application as amended by the accompanying preliminary amendment noted above.

CLAIMS AS FILED					
For	#Filed	#Allowed	#Extra	Rate	Fee
<b>Total Claims</b>	27	- 20 =	7	X \$ 18.00	\$ 126.00
<b>Independent Claims</b>	4	- 3 =	1	X \$ 84.00	\$ 84.00
<b>Multiple Dependent Claims</b> (check if applicable) <input type="checkbox"/>					\$ 0.00
<b>BASIC FEE</b>					\$ 740.00
<b>SUBTOTAL</b>					\$ 950.00
(Application is entitled to small entity status under 37 CFR 1.9 and 1.27)      adjusted small entity status claim fees [rate ÷ 2]					yes
<b>SMALL ENTITY STATUS</b>					\$ 475.00
<b>OTHER FEE (specify purpose)</b> Assignment Recordation Fee					\$ 40.00
<b>TOTAL FILING FEE</b>					<b>\$ 515.00</b>

☒ A check in the amount of \$ 515.00 to cover the filing fee and the assignment recordation fee is enclosed.

☒ The Commissioner is hereby authorized to charge and/or credit Deposit Account Number 13-5135 as described below.

☐ Charge the amount of \$ \_\_\_\_\_ as filing fee.

☒ Credit any overpayment.

☒ Charge any additional filing fees required under 37 CFR 1.16 and 1.17.

Respectfully Submitted,



Donald E. Stout  
Attorney for Applicants  
Registration Number: 34,493

February 15, 2002  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application: /  
Gregoire et al. / BOX PATENT APPLICATION  
/   
Filed: Herewith /   
/   
For: BONE ANCHOR INSERTION DEVICE /

EXPRESS MAIL MAILING LABEL NO. **EV014415949US**

Date of Deposit: **February 15, 2001**

I hereby certify that the following documents as identified below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under CFR 1.10 on the date indicated above and are addressed:

Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

enclosures:

1. Transmittal letter;
2. Specification/Claims/Abstract 30 pages  
(Specification & Abstract / 24 pages; Claims 27 / 6 pages);
3. 15 sheets of informal drawings;
4. Declaration for Patent Application;
5. Application Data Sheet;
6. Assignment with Recordation Cover Sheet;
7. Request for Non-Publication;
8. Check; and
9. Return Receipt postcard.

Each of the 9 above-identified documents are enclosed herewith.

Respectfully submitted,

*Alicia Curran*

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application: /  
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Commissioner for Patents  
Washington, D.C. 20231

**REQUEST FOR NON-PUBLICATION OF APPLICATION**  
**UNDER 37 C.F.R. § 213(a)**

Dear Sir:

Applicants hereby request that the above-referenced patent application, filed concurrently herewith, **NOT BE PUBLISHED** under 35 U.S.C. § 122(b). In making this request, applicants certify that the invention disclosed in the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at 18 months after filing.

Respectfully submitted,



Donald E. Stout  
Registration No. 34,493  
STOUT, UXA, BUYAN & MULLINS, LLP

February 15, 2002  
4 Venture, Suite 300  
Irvine, CA 92618